

Serial No. 10/632,561

Resp. to Off. Action of Apr. 14, 2008

UTILITY PATENT

B&D No. JK01243

REMARKS

Applicants have amended Claim 35. Currently in the above-identified application are Claims 21-25 and 35-41.

The Examiner has rejected Claim 35-36 under 35 USC § 103(a) as being unpatentable over US Patent No. 6,481,322 ("Hsiung"). Reconsideration and withdrawal of this rejection is respectfully requested.

As admitted by the Examiner, Hsiung does not disclose the cutting device having the rotational axis disposed below the support surface. Instead, it shows the rotational axis to be disposed above the support surface, as found in miter saws.

The Examiner alleges that "it would have been obvious to one having ordinary skill in the art to provide such rotational support configuration on the the saw of Hsiung to gain the well known benefits including those described above," referring to the teachings of US Patent Nos. 1,336,501 ("Blanckensee"), 1,730,938 ("Kleeb"), 1,807,120 ("Lewis"), 3,130,621 ("Else"), and 3,540,338 ("McEwan"). However, in all these references, the rotational axis of the blade are (a) disposed above the support surface, and (b) outside of the perimeter of the blade.

Thus combining Hsiung with these references will result with a saw having a blade with a rotational axis disposed above the support surface and outside the blade perimeter, rather than below the surface and within the blade's perimeter.

By contradistinction, Claim 35 calls for "the blade having a rotational axis disposed below the support surface and within the perimeter of the cutting device." Because Hsiung in combination with Blanckensee, Kleeb, Lewis, Else or McEwan do not teach or suggest such claimed arrangement, Claims 35-36 are patentable.

Serial No. 10/632,561

Resp. to Off. Action of Apr. 14, 2008

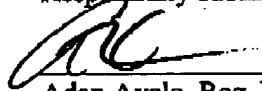
UTILITY PATENT

B&D No. JK01243

No fee is due. Nevertheless, the Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 21-25 and 35-41 are respectfully requested.

Respectfully submitted,


Adan Ayala, Reg. No. 38,373
Attorney for Applicants
(410) 716-2368